

### **REMARKS/ARGUMENTS**

Claim 5 has been amended to recite that the transparent film, transparent member, and colored member are made of resins by an integral molding method, which is supported by page 14, lines 16 to 18 of the original specification and, therefore, does not introduce any new matter into this case.

In view of the following, it is respectfully submitted that claims 5-7 are in condition for allowance and favorable reconsideration is respectfully requested.

#### **Rejections under 35 U.S.C. 103(a)**

Claim 5 has been rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art shown in Fig. 7 and defined on pages 1 and 2 of the specification, in view of Ogden (U.S. Patent No. 4,478,666); and claims 6 and 7 have been rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art shown in Fig. 7 and defined on pages 1 and 2 of the specification, in view of Ogden, and further in view of Miwa (U.S. Patent No. 4,625,097). It is noted that item 4 of the Official Action actually mentions claim 7 as being rejected based on admitted prior art and Ogden, but that the content of the rejection makes it clear that the rejection applies to claim 5 rather than claim 7.

The rejections of claims 5-7 under 35 U.S.C. 103(a) have been carefully considered but are most respectfully traversed on the grounds that the Ogden and Miwa patents do not disclose either equipment utilizing water or a transparent film,

transparent member, and colored member arranged in the claimed manner to provide the water-utilizing equipment with a transparent texture quality. Instead, the Ogden patent discloses a membrane or keyboard switch control panel arrangement with a legend sheet through which illumination of the switches is visible, while the Miwa patent discloses a rice cooker, but only with a resin panel made of a member having openings through which LEDs are visible. Ogden and Miwa do not disclose, nor is there a need for, the claimed close adherence of the transparent film, transparent member, and colored member.

The present invention, as defined in claim 5, is directed to a water-utilizing equipment characterized in that an outer member includes a transparent member, a transparent film formed on a top surface of the transparent member, and a colored member integrally formed on a bottom surface of the transparent member, wherein the colored member is formed of a material identical to that of the transparent member or a material *tightly formable* with the transparent member, and the transparent film, the transparent member and the colored member are made of resins by an integral molding method, the colored member being connected to a cover of the equipment utilizing water.

In contrast, as described in Fig. 7 and the specification of the present application, in the applicant's admitted prior art, an outer member 55 is conventionally made of a colored material and a waterproof film 59 is provided on the outer surface of the colored outer member, and decorations are provided on the outer surface of the waterproof film 59. As a result, the admitted prior art has the disadvantage that it is not possible to obtain a transparent texture quality, so that

conventional lacks depth and classic texture quality. Moreover, stereovision of characters or figures on an outer surface of the appliance cannot be implemented.

The present invention overcomes these disadvantages by providing a water-utilizing appliance having not only a transparent member, but a transparent film *and* transparent member, as well as a colored member, all made of resin so that they can be formed tightly together without any gaps, which offers a transparent texture quality in outer appearance as well as a depth and classic texture quality in design and, at the same time, renders characters or figures on a surface of the appliance easily visible by implementing a stereovision thereof (see page 2, lines 13 to 19 of the specification of the present application).

This arrangement is not anticipated by the Ogden patent, which is directed to a membrane or keyboard switch control panel arrangement and label assembly therefor, and not to equipment utilizing water or anything analogous, and whose principal object is to provide a control panel arrangement that includes an in-field markable legend sheet for both identifying the controlling switches and their functions. It is also not suggested by the Miwa patent which, although directed to water-utilizing equipment, does not disclose or suggest any structure representing the claimed combination of a transparent film and member, and a colored member.

Unlike the claimed film, legend sheet 16 of Ogden is transparent only for providing a viewing window 52 through which the glow bulb of the respective switches 32 may be observed, as disclosed in col. 7, lines 18-26. Moreover, Ogden mentions that the indicia 50 may be formed on the front side of the legend sheet 16 as well as the back side thereof, in col. 9, lines 6-9, which implies that it

does matter to Ogden whether the indicia is formed on the front or the back side of the legend sheet 16. Finally, it is respectfully noted that the Ogden patent does not disclose the feature of the present invention that the transparent member is interposed between the colored member and the transparent film, the colored member being connected to the cover of the equipment.

Consequently, the Ogden patent, whether considered individually or in combination with the Miwa patent, does not anticipate, and could not have suggested, the claimed arrangement of transparent and colored elements on the outer surface of a water-utilizing equipment, much less the achievement of a transparent texture quality in outer appearance, the depth and classic texture quality in design, and the stereovision effect as exhibited by the present invention.

In accordance with the present invention, by stacking the transparent film and the transparent member (and in particular one having a thickness thicker ten or more times than that of the transparent film—though the tens times greater thickness is not required by the claims), the underlying colored member can exhibit a transparent texture quality, which provides a depth and classic texture quality in design. **In order to increase such effects, it is necessary to closely adhere the transparent film, the transparent member and the colored member** to each other, as claimed, such that there is no gap at the interfaces therebetween. The present invention of claim 5 explicitly defines that the transparent film, the transparent member and the colored member are made of resins by an integral molding method, which enhances the closeness thereof. Further, by using, as the material of the colored member, a material that is **identical** to that of the

transparent film or tightly formable with the transparent member, the colored member can be integrally formed on a bottom surface of the transparent member.

The applicant's admitted prior art does not make up for the deficiencies of Ogden and Miwa. Instead, the admitted prior art merely discloses an outer member of two layers including a colored member 55 and a transparent film 59 on the colored member 55, which is substantially different from the outer member of three layers of the present invention including the transparent film, the transparent member and the colored member which are integrally formed by using the integral molding method. In the structure shown in Applicant's Figure 7, the outer member 55 is liquid-tightly secured on the outer case 51 by adhesive 62, and it can be appreciated that the transparent film 59, the colored member 55 and the outer case 51 cannot be formed by the integral molding method.

As described above, the objects and effects of the applicant's admitted prior art and the Ogden's invention are different from those of the present invention and there is no suggestion or motivation to modify the reference or to combine the reference teachings to arrive at the claimed invention, absent Applicants' teaching. As explained in, for example, *In re Fritch*, 23, USPQ 1780, 1784 (Fed. Cir. 1992), such hindsight combination of prior art cannot be used to support a *prima facie* rejection based on obviousness ("It is impermissible to engage in hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps.").

Furthermore, even assuming, arguendo, that such combination were proper, such combination still cannot render the present invention obvious because neither

the applicant's admitted prior art nor Ogden discloses or even implies the claimed combination of resin molded transparent and colored members and film. Accordingly, even if every single disclosure contained in each of the references is selectively chosen and stacked together against the present invention, such combination cannot possibly suggest to an ordinary person in the art the inventive features of the present invention.

Accordingly, withdrawal of the rejection of claim 5 under 35 USC 102 is respectfully requested. In addition, it is believed that claims 6 and 7, depending on claim 5, are allowable for the same reasons indicated with respect to claim 5, and further because of the additional features recited therein which, when taken alone and/or in combination with the features recited in claim 5, remove the invention defined therein further from the disclosures made in the cited references.

In particular, the Ogden patent and admitted prior art do not disclose or suggest adding a decoration to a portion of the transparent film, its shadow being projected through the transparent member onto the colored member, so that a stereovision thereof can be obtained as recited in claim 7.

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### C O N C L U S I O N

Applicants believe that this is a full and complete response to the Office Action. For the reasons discussed above, applicants now respectfully submit that all of the pending claims are in complete condition for allowance. Accordingly, it is respectfully requested that the Examiner's rejections be withdrawn; and that claims 5-7 be allowed in their present forms. If the Examiner feels that any issues that remain require discussion, he is kindly invited to contact applicant's undersigned attorney to resolve the issues.

In view of the above comments and further amendments to the claims, favorable reconsideration and allowance of all of the claims now present in the application are most respectfully requested.

Respectfully submitted,

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